

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

<b>ITALIANA COKE, S.R.L.,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION NO. 08-CV-4725 (JGK)</b>
	)	
<b>UNITED COAL COMPANY, LLC,</b>	)	<b>Electronically Filed</b>
	)	
<b>Defendant.</b>	)	

**DECLARATION OF RALPH HARING IN SUPPORT OF MOTION TO DISMISS**

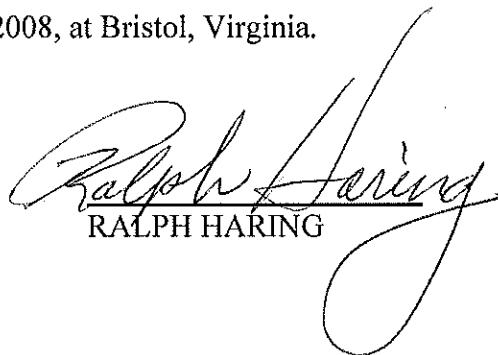
I, Ralph Haring, declare as follows:

1. I am Vice President of Sales for United Coal Company, LLC (“United Coal”), the defendant in the action captioned above. This Declaration is submitted as part of United Coal’s Reply Memorandum of Law In Support of Defendant’s Motion to Dismiss or, in the Alternative, to Transfer or Stay the Proceedings, and to present the Court with facts establishing that personal jurisdiction does not exist over United Coal in this action. I have personal knowledge of the facts stated herein unless otherwise stated and, if called upon to do so, I could and would competently testify thereto.
  
2. On April 3, 2008, Gary Chilcot, also a Vice President of Sales at United Coal, and I met in New York with Italiana Coke representatives Stefano Tomisti and Massimo Busdraghi, and Agenzia Carboni agent Monica Zappalaglio. During the brief meeting, no negotiations over 2008-2009 contracts took place. Rather, Italiana Coke insisted that binding and enforceable agreements already existed for the 2008-2009 coal year based on a previous meeting in Stockholm, Sweden. While we were prepared to discuss potential contracts for the 2008-2009 year, we did not have an opportunity to do so because Italiana Coke was not willing to do so. No

2008-2009 Wellmore or Pocahontas contracts were executed during the meeting in New York, or as a result of the meeting in New York.

3. I, and all of United Coal's employees with knowledge of this matter, work in Virginia.

I declare under penalty of perjury that the foregoing is true and correct and that this Declaration was executed on August 8, 2008, at Bristol, Virginia.

  
RALPH HARING